



# Del Mar City Council Meeting Agenda

VIA TELECONFERENCE ONLY

1050 Camino del Mar, Del Mar, California

***Civility Works: The Del Mar Code of Civil Discourse: Together we will promote inclusion; listen to understand; show respect; be clear and fair; and focus on the issue.***

**Remote Regular Meeting  
VIA TELECONFERENCE ONLY  
Monday, November 14, 2022 at 4:30 PM**

In the interest of public health, and consistent with the provisions of Assembly Bill 361 (AB 361) and related resolutions adopted by the Del Mar City Council, the City of Del Mar is temporarily taking actions to mitigate the COVID-19 pandemic by holding City Council Meetings electronically or by teleconference. This is not an in-person meeting.

**Dwight Worden**  
Mayor

**Tracy Martinez**  
Deputy Mayor

**Dave Druker**  
Council Member

**Terry Gaasterland**  
Council Member

**Dan Quirk**  
Council Member

**Ashley Jones**  
City Manager

**Leslie E. Devaney**  
City Attorney

**Sarah Krietor**  
Administrative Services  
Manager/City Clerk

## Public Participation/Comment

Members of the public can participate in the meeting by either submitting a written red dot comment via email to [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us) or by speaking live using the Zoom link and/or dial-in information provided below. The deadline to submit written comments is 12 p.m. on the day of the meeting and the subject line of your email should clearly state the agenda item you are commenting on. Those wishing to comment live should join the Zoom meeting when the item(s) they wish to speak on is announced or at the meeting start time for items not on the agenda.

**Zoom Link:** <https://us02web.zoom.us/j/84790910014>

**Phone:** (669) 900-6833

**Meeting ID:** 847 9091 0014

While registration is not required, staff recommends members of the public submit an optional tele-comment request form ([www.delmar.ca.us/telecomment](http://www.delmar.ca.us/telecomment)) to assist with speaker management during the meeting. For more information please visit: [www.delmar.ca.us/publiccomment](http://www.delmar.ca.us/publiccomment).

## Viewing the Meeting and Access to Agenda Materials

Members of the public can watch the meeting live on the City's website at: <http://delmar.12milesout.com/Video/Live> and on Cable TV Spectrum Ch. 24, AT&T Ch. 99 starting at 4:30 PM.

Agenda materials and communications from the public on agenda items, "Red Dots", are available on the City's website: <http://www.delmar.ca.us/AgendaCenter> and a hard copy of the agenda materials are available at City Hall and the Del Mar Library during their business hours.

**Special Needs:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate remotely in this meeting, please contact the Administrative Services Department via email at [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us) or by calling (858) 755-9313, preferably at least 48 hours in advance of the meeting if possible.

- I. CALL TO ORDER/ROLL CALL
- II. CITY ATTORNEY CLOSED SESSION REPORT
- III. PLEDGE OF ALLEGIANCE
- IV. PUBLIC ORAL COMMUNICATIONS

Public oral communications will take place shortly after the start of the meeting. Those wishing to comment on any matter not on the agenda may join the meeting at 4:30 PM using the Zoom link and dial-in information: <https://us02web.zoom.us/j/84790910014>; Phone: (669) 900-6833; Meeting ID: 847 9091 0014.

- V. CITY COUNCIL COMMENTS
- VI. COMMUNITY ANNOUNCEMENTS
- VII. CITY MANAGER'S REPORT
- VIII. PRESENTATIONS

**1. Proclamation Declaring the Month of November as Family Court Awareness Month**

Recommended Action: Mayor Worden to present Proclamation to Tracey Mueller-Gibbs with the Family Court Awareness Month Committee (FCAMC).

Reference: Clerk's File No. 1201-5

**2. USACE Presentation Regarding the Coastal Storm Damage Reduction Project**

Recommended Action: Staff recommends the City Council receive a presentation from representatives of the United States Army Corps of Engineers (USACE) regarding the Coastal Storm Damage Reduction Project located in the cities of Solana Beach and Encinitas.

Reference: Clerk's File No. 1404-1, 1404-2

**3. SANDAG Rail Realignment Presentation**

Recommended Action: Receive a presentation from SANDAG representatives Sharon Humphries and Danny Veeh regarding the SANDAG Rail Realignment Project.

Reference: Clerk's File No. 1506-1

IX. CONSENT CALENDAR

All items listed on the Consent Calendar are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the City Council, staff, or the public so requests, in which event, the item will be considered separately.

**4. Approval of Minutes: October 17, 2022 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

**5. Ratification of List of Demands, dated November 14, 2022**

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

**6. Waiver of Reading of Ordinances on Agenda**

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

**7. Proposed Amendments to the 2022 & 2023 City Council Meeting and Holiday Closure Schedules**

Recommended Action: Staff recommends the City Council: 1) Adopt a Resolution (Attachment A) amending the 2022 City Council Meeting Schedule to reschedule the regular December 19, 2022, City Council Meeting to December 12, 2022; and 2) Authorize the holiday related closure of City Hall on December 27, 28 & 29, 2022, and December 27 & 28, 2023.

Reference: Clerk's File No. 401-1

**8. Administrative Updates to City Employee Retirement Plan Options**

Recommended Action: Staff recommends that the City Council: 1) Adopt a Resolution (Attachment A) terminating the MissionSquare City Manager Retirement Plan 401(a); and 2) Adopt Resolutions (Attachments B and C) adding a Roth option to the City's MissionSquare Retirement and CalPERS 457(b) Plans.

Reference: Clerk's File No. 502-5

**9. Finance Committee Appointment**

Recommended Action: The City Council Liaisons to the Finance Committee recommend that the City Council appoint Michael Minter as a voting member to the

Committee to serve a full three-year term starting November 14, 2022, and ending on November 30, 2025.

Reference: Clerk's File No. 401-5

X. PUBLIC HEARINGS

- 10. Encroachment Permit (EP) EP22-082 – SANDAG Bluff Stabilization V Improvements Relating to Shoreline Protection, Drainage Improvements, and Required Mitigation (Beach access for construction at 18th Street and adjacent to APNs: 299-240-01, 299-240-23)**

**Applicant: San Diego Association of Governments (SANDAG) on behalf of North County Transit District (NCTD)**

Recommended Action: It is recommended that the City Council: 1) Adopt the Resolution (Attachment A) conditionally approving Encroachment Permit EP22-082 to authorize bluff stabilization improvements relating to shoreline protection, drainage improvements, required mitigation, and authorizing access for construction along the beach, south bluff, and adjacent to private property at APNs 299-240-01 and 299-240-23 (from 15th Street south to Carmel Valley Road) and; 2) Authorize the City Manager to waive associated planning application fees in the amount of \$1,941.

Reference: Clerk's File No. 802-1, 1506-1

- 11. Continued from October 17, 2022: De Novo Hearing of an Appeal of the Planning Commission's Decision on Trees, Scenic Views, and Sunlight Application TVS21-002**

**TVS Applicant/Appellant: Michael and Angela Deftos  
Applicant's Address: 225 Torrey Pines Terrace**

**Tree Owners: Harvey and Sheryl White  
Tree Owners Address: 473 Ocean View Avenue**

Recommended Action: It is recommended the City Council adopt the Planning Commission subcommittee recommendation that included Certified Arborist Mark Wisniewski's restoration plan dated August 2, 2022, per the attached Resolution (Attachment A), for restoring the Appellant's scenic views, for trees #1-3, with trimming for tree #1 to commence at the soonest date as determined feasible by the City's consulting arborist.

Reference: Clerk's File No. 1403-7

- 12. Adoption of Resolution Establishing Fees for Use of Credit Cards, Debit Cards, and Electronic Funds Transfer to Pay for Fees, Services and Other Debts Owed to the City of Del Mar**

Recommended Action: Staff recommends that the City Council conduct a public hearing and adopt a Resolution (Attachment A) establishing fees for use of credit cards, debit cards, and electronic funds transfer to pay for fees, services and other debts owed to the City of Del Mar (City).

Reference: Clerk's File No. 204-6

XI. COUNCIL MEETING RECESS

XII. CITY COUNCIL OTHER BUSINESS

**13. In-Person Public Meetings Transition Plan**

Recommended Action: Staff recommends that the City Council: 1) Review the proposed plan for transitioning to in-person public meeting and provide direction; 2) Approve a budget adjustment in the amount of \$8,500 to the Public, Educational, and Government (PEG) fund for hybrid meeting equipment; and 3) Consider a Resolution (Attachment A) making the finding required by Government Code 54953 to continue with remote public meetings during the local emergency declared in response to the COVID-19 pandemic.

Reference: Clerk's File No. 401-1, 401-7

XIII. REGIONAL ORGANIZATION REPORTS

A Councilmember assigned as a liaison to a regional organization may make a written or oral report. State law precludes the Council from commenting on, discussing, or acting on a report unless the item of business within the report is described in the agenda.

- A. 22<sup>nd</sup> District Agricultural Association Community Relations Committee (Gaasterland/Martinez)
- B. Clean Energy Alliance JPA (CEA) Board of Directors (Druker/Worden)
- C. CSA-17 Ambulance District Advisory Board (Martinez/Druker)
- D. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Druker/Martinez)
- E. League of California Cities – San Diego Chapter (Worden/Martinez)
- F. North County Transit District (NCTD) (Quirk/Gaasterland/Druker)
- G. Regional Solid Waste Association (Worden/Quirk)
- H. San Diego Association of Governments Board (SANDAG) (Gaasterland/Druker/Quirk)
- I. SANDAG Borders Committee (Druker)
- J. SANDAG Regional Planning Committee (Gaasterland)
- K. SANDAG Shoreline Preservation Working Group (Worden/Gaasterland)
- L. San Diego Metropolitan Wastewater Commission/JPA (Worden/Quirk/Druker)
- M. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee (Worden/Quirk)
- N. Other Regional Organization Reports

XIV. COUNCIL COMMITTEES/SUBCOMMITTEES/COMMUNITY ORG REPORTS

A Councilmember assigned as a liaison to a City Committee, Council Subcommittee OR Community Organization may make a written or oral report. State law precludes the

Council from commenting on, discussing, or acting on a report, unless the item of business within the report is described in this agenda.

- A. Ad-Hoc Referendum Subcommittee (Gaasterland/Druker)
- B. Arts Advisory Committee (Druker/Worden)
- C. Clean Water Rate Project (Druker, Quirk)
- D. Del Mar Community Connections (Martinez/Quirk)
- E. Del Mar Village Association (Druker/Quirk)
- F. Finance Committee (Gaasterland/Quirk)
- G. Housing Subcommittee (Gaasterland/Martinez)
- H. Human Resources Subcommittee (Druker/Worden)
- I. Legislative Subcommittee (Gaasterland/Druker)
- J. Long-Term Rail Relocation Subcommittee (Gaasterland/Druker)
- K. Measure Q Citizen Oversight Committee (Druker/Quirk)
- L. Parks and Recreation Committee (Druker/Worden)
- M. Planning Process Subcommittee (Druker/Gaasterland)
- N. Safe Rail Crossing and Bluff Stabilization Subcommittee (Gaasterland/Druker)
- O. Lagoon Committee (Quirk/Worden)
- P. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Martinez)
- Q. Shores Advisory Committee (Gaasterland/Martinez)
- R. Solid Waste Procurement Services Ad-Hoc Subcommittee (Quirk/Worden)
- S. Sustainability Advisory Committee (Druker/Worden)
- T. Traffic and Parking Advisory Committee (Martinez/Worden)
- U. Undergrounding Project Advisory Committee (Gaasterland/Quirk)
- V. Other Committee-Subcommittee Reports

**XV. UPCOMING AGENDA ITEMS**

The following topics/items are tentatively planned for upcoming agendas. The title, wording, and planned date for these items are subject to change. Final agendas are posted at City Hall 72 hours in advance of the meetings and are also posted on our web site with the accompanying staff report. Please watch our web site: [www.delmar.ca.us](http://www.delmar.ca.us) for City Council Agendas.

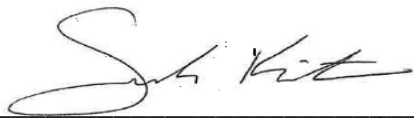
| <b>December 5, 2022</b>   |
|---|
| Coastal Connections Conceptual Planning Study - Review/Discuss Draft Concepts                             |
| Approval of the Third Amendments to Recycled Water Agreements for Sale of Reclaimed Water                 |
| Planning Commission Interviews and Appointment  |
| Introduce Ordinance/LCPA for Public Facilities/Public Parkland Sites (General Plan Amendment/Rezone/LCPA) |
| De Novo Hearing EP22-064 111 Sea Cliff/ Crowe   |
| Authorization to Purchase License Plate Readers to Enhance Public Safety                                  |

Consideration of a Letter Regarding Housing Legislation Impacts to State Representatives

Discussion of Advisory Committee Meeting Frequency and Approval of 2023 Advisory Committee Meeting Schedule

XVI. CERTIFICATION

I, Sarah Krietor, Administrative Services Manager/City Clerk for the City of Del Mar, hereby certify that a copy of this agenda was posted at City Hall on the 9th day of November, 2022, at approximately 4:25 p.m.



\_\_\_\_\_  
Sarah Krietor, Administrative Services Manager/  
City Clerk

11/9/2022

\_\_\_\_\_  
Date